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EXAMINER

ZURITA, JAMES H

ART UNIT

PAPER NUMBER

2165

DATE MAILED: 03/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

NM

# Office Action Summary

Application No.

09/241,188

Applicant(s)

BLANDINA ET AL.

Examiner

James Zurita

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Amendment 2 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 20-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### ***Response to Amendment***

Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of applicant's cancellation of these claims and substitution of claims 20-35.

Claims 20-35 are pending; they will be considered for examination.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the repository of claim 29 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters **114** and **144** have both been used to designate a repository.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character **108** has been used to designate *point of sale system* (p. 13, line 20) and *transaction authorization system*.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character **112** has been used to designate a *transaction capture and routing server* (p. 12, lines 13, 14), a *transaction captive module* (p. 14, line 7), a *transaction capture module* (p. 14, line 10), a *capture module* (p. 14, line 11), a *transaction processing module* (p. 14, lines 19, 21), a *financial*

*capture/transaction routing module* (p. 16, line 7), an *external financial capture system* (p. 25, line 14).

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character **138** has been used to designate both client and customer (p. 15, line 2).

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character **172** has been used to designate *consumer info* (in Fig. 7), *client demographics subsystem* (page 23, line 7) and *client data subsystem* (page 23, line 22).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 34 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly

connected, to make and/or use the invention. Claim 34 refers to a step of **dividing** a first and a second financial product with a key. The words divide or dividing do not appear in the disclosures.

Claims 20, 29 and 31 are rejected under 35 U.S.C. 112, second paragraph as lacking proper antecedent basis.

Claim 20 recites the limitation "said" in "a database server configured to support each of said stored value products, to receive said transaction data from said transaction capture module, and to route **said** data among said plurality of stored value products." There is insufficient antecedent basis for this limitation in the claim since Claim 20 contains references to customer data, merchant data and transaction data.

Claim 29 recites the limitation "said" in repository of objects. There is insufficient antecedent basis for this limitation in the claim.

Claim 31 recites the limitation "said" in transaction **server**. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 20-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Schein et al. (US Patent 6,226,623B1).

As per claim 20, Schein et al. disclose a system for facilitating a plurality of stored value products, the system comprising:

- (a) a database facilitating the storage and retrieval of customer data, merchant data, and a plurality of objects (for example, Col. 9, lines 42-47);
- (b) a transaction capture module configured to receive transaction data from a point-of-sale terminal configured to receive at least one of said plurality of stored value products (for example, Col. 10, lines 41-56; Col. 20, lines 51-67; Col. 20, lines 51-67); and
- (c) a database server configured to support each of said stored value products, to receive said transaction data from said transaction capture module, and to route said [transaction] data among said plurality of stored value products; (for example, Col. 9, line 62-Col. 10, line 7);
- (d) wherein each of said stored value products comprises a plurality of objects retrieved from said database (for example, Col. 7, lines 13-33, describing

service providers, financial institutions and their products, including stored-value products), and

- (e) wherein each of said plurality of objects provides a function that is available to each of the plurality of stored value products such that each of said plurality of stored value products is allowed to retrieve said customer data and said merchant data from said database (for example, Col. 10, lines 41-56).

As per claim 21, Schein et al. disclose the system of claim 20 further comprising a report generating system in communication with said database server, wherein the report generating system is configured to assemble reports based at least in part upon said transaction data (for example, Col. 6, lines 53-65).

As per claims 22 and 23, Schein et al. disclose the system of claims 20 and 22, further comprising an authorization server in communication with the database server and the point-of-sale terminal and wherein the point-of-sale terminal is configured to query the authorization server for transaction approvals (for example, Col. 2, lines 7-17; Col. 22, lines 4-24; Figs. 13, Fig. 2, items 28 and 46; Col. 3, lines 53-63; Col. 22, lines 4-24).

As per claim 24, Schein et al. disclose the system of claim 20 further comprising a plurality of clients, each client corresponding to one of the plurality of stored value products, and wherein each client communicates with the database server (for example, Col. 7, lines 13-33, describing service providers, financial institutions and their products).

As per claim 25, Schein et al. disclose the system of claim 20 wherein the plurality of objects comprises consumer information that is available to each of the plurality of stored value products (for example, Col. 10, lines 41-56).

As per claims 26 and 27, Schein et al. disclose the system of claims 20 and 25 wherein the plurality of objects comprises merchant information that is available to each of the plurality of stored value products (for example, Col. 10, lines 41-56).

As per claim 28, Schein et al. disclose a server facilitating the operation of a plurality of stored value programs, the server comprising:

- a digital computer in communication with a database maintaining consumer information, merchant information and a plurality of objects (for example, Col. 9, line 42-Col. 10, line 7);
- wherein each of said plurality of objects is configured to facilitate a particular function and to associate with each of said plurality of stored value programs (for example, Col. 7, lines 13-33, describing service providers, financial institutions and their products), and
- wherein each of said plurality of stored value programs accesses said consumer information and said merchant information via at least one of said plurality of objects (for example, Col. 10, lines 41-56);
- such that said consumer information and said merchant information is available to each of said plurality of financial products through a common interface (see description of a common interface called a Global Integration Facility/GIF Col. 14, lines 36-51).



As per claim 29, Schein et al. disclose a method of facilitating financial transactions, the method comprising the steps of:

- (a) selecting a first plurality of objects from said repository of objects to form a first stored value program, said first stored value program corresponding to a first financial product , selecting a second plurality of objects from said repository of objects to form a second stored value program, said second stored value program corresponding to a second financial product for example, Col. 3, line 65-Col. 6, line 65 for description of the art related to forming a first stored value program and its corresponding financial product; Col. 4, lines 39-5Col. 11, lines 11-48; Col. 12, lines 21-49 describing linking of various customer accounts and financial products); and
- (b) accessing a database comprising consumer information and merchant information such that said first and second stored value programs interact with said database via said first and second pluralities of objects, respectively, to implement said first and second financial products, respectively (Col. 7, lines 13-33; Col. 10, lines 41-56) .

As per claim 30, Schein et al. disclose the method of claim 29 further comprising the step of receiving a transaction request from a point of sale terminal, said transaction request corresponding to one of said financial products (see, for example, Col. 10, lines 41-56, Col. 15, lines 41-52; Col. 20, lines 51-67; Col. 21, line 1-Col. 22, line 3).

As per claims 31, 32 and 33, Schein et al. disclose the methods of claim 30 further comprising the step of determining a financial product corresponding to said transaction request at said transaction server, and further comprising the step of where processing of processing said transaction request in accordance with said first (for example, *nth*) plurality of objects if said, transaction request corresponds to said first (for example, *nth*) financial product (for example, Col. 10, lines 41-Col. 12, line 49, describing the types of information available from the database. The information on the database is available for each transaction, and the transaction request is linked to a customer's products. A customer may have many products, each product associated with an object. These objects may also be referred to as a first, second, through *nth* product,).

As per claims 34 and 35, Schein et al. disclose the methods of claim 29 and 34, further comprising the step of dividing said first and second financial products with a key, and wherein said key corresponds to a business unit. (for example, Col. 5, lines 5 -Col. 67; Col. 6, line 7-Col. 7, line 46; Col. 10, lines 41-Col. 11, line 10 describes Database Management Systems. Database systems rely on unique and non-unique keys to store and access information. A key may identify CITIBANK, for example, or a key may identify the CMMA CITIBANK MONEY MANAGEMENT ACCOUNT, as a separate business unit, if desired).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Zurita whose telephone number is 703-605-4966. The examiner can normally be reached on 8:30 am to 5:00 pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-395-3900.

James Zurita  
Patent Examiner  
Group Art Unit 2165  
March 4, 2002

  
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